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13 UNITED STATES DISTRICT COURT  
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15 CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION  
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17 JENNY LISETTE FLORES, *et al.*,

18 Plaintiffs,

19 v.

20 WILLIAM BARR, Attorney General, *et al.*,

21 Defendants.  
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Case No. CV 85-4544-DMG (AGRx)

NOTICE OF MOTION AND  
MOTION FOR AWARD OF  
ATTORNEYS' FEES AND COSTS

Hearing: February 8, 2020

Time: 9:30 AM

Room: 1st St. Courthouse Courtroom  
8C

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1 PLEASE TAKE NOTICE that on February 8, 2020, at 9:30 a.m. or as soon  
2 thereafter as counsel may be heard, Plaintiffs will and do hereby move the Court for  
3 an order awarding them attorneys' fees and costs pursuant to the Equal Access to  
4 Justice Act, 28 U.S.C. § 2412(d), for fees and costs incurred in securing and  
5 monitoring Defendants' compliance with the Court's order of June 27, 2017 (Dkt.  
6 #363). Plaintiffs aver that (1) they are prevailing parties; (2) Defendants' position in  
7 this litigation was not substantially justified; and (3) no special circumstances make  
8 an award of fees unjust. This motion is based upon the annexed memorandum of  
9 points and authorities, Plaintiffs' itemized statements and other supporting exhibits  
10 filed concurrently herewith, and upon all other matters of record.  
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1 This motion is made following the conference of counsel pursuant to Local  
2 Rule 7-3 which took place on November 26, 2019.<sup>1</sup>

3  
4 Dated: December 6, 2019.

Respectfully submitted,

5 CENTER FOR HUMAN RIGHTS  
6 AND CONSTITUTIONAL LAW  
7 Peter A. Schey  
8 Carlos R. Holguín

9 ORRICK, HERRINGTON & SUTCLIFFE LLP  
10 Kevin Askew

11 LAW FOUNDATION OF SILICON VALLEY  
12 LEGAL ADVOCATES FOR CHILDREN & YOUTH  
13 Jennifer Kelleher Cloyd  
14 Katherine H. Manning  
15 Annette Kirkham

16 /s/Peter Schey

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24 <sup>1</sup> Plaintiffs are concurrently moving the Ninth Circuit for an award of EAJA fees  
25 and costs. Plaintiffs believe the instant fee request would be most efficiently  
26 resolved via mediation under the supervision of the Ninth Circuit's Mediation  
27 Office. Should mediation prove unavailable or unsuccessful, this Court's greater  
28 familiarity with the issues herein would likely place it in a better position to decide  
a contested EAJA motion. In the event, Plaintiffs will voluntarily withdraw their  
Ninth Circuit fee application.

**CERTIFICATE OF SERVICE**

I, Peter Schey, declare and say as follows:

I am over the age of eighteen years of age and am not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 256 S. Occidental Blvd., Los Angeles, CA 90057, in said county and state.

On December 6, 2019 I electronically filed the following document(s):

NOTICE OF MOTION AND MOTION FOR AWARD OF ATTORNEYS' FEES AND COSTS with the United States District Court, Central District of California by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

/s/Peter Schey  
Attorney for Plaintiffs